

SJ-EXHIBIT 21

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 IN RE: NATIONAL : MDL No. 2804
5 PRESCRIPTION OPIATE :
6 LITIGATION : Case No. 17-md-2804
7 :
8 APPLIES TO ALL CASES : Hon. Dan A. Polster
9 :
10 :
11 :
12 JANUARY 16, 2019
13 :
14 VIDEOTAPED DEPOSITION OF GEORGE CHUNDERLIK,
15 taken pursuant to notice, was held at Marcus &
16 Shapira, One Oxford Center, 35th Floor, Pittsburgh,
17 Pennsylvania 15219, by and before Ann Medis,
18 Registered Professional Reporter and Notary Public in
19 and for the Commonwealth of Pennsylvania, on
20 Wednesday, January 16, 2019, commencing at 9:04 a.m.
21 :
22 GOLKOW LITIGATION SERVICES
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24 deps@golkow.com
25

1 pharmacies, and that's the Giant Eagle 200 retail
2 pharmacies; right?

3 A. Correct.

4 Q. At the corporate level, how many
5 suspicious orders were caught due to the controls
6 that were in place?

7 MR. KOBRIN: Object to form.

8 THE WITNESS: A suspicious order I don't
9 necessarily think -- a suspicious order would have
10 been the buprenorphine situations.

11 BY MR. HUDSON:

12 Q. What were the corporate controls that
13 you're alluding to? What were the controls that
14 existed?

15 A. The fact that we had tools in place to
16 monitor purchases, monitor dispensing. Of course,
17 we had the reports that we were getting on a daily
18 basis. We had internal audits that an internal
19 auditing group would do at our pharmacies. We had
20 PDLs doing audits and going into their pharmacies.
21 They're required on a quarterly basis to do audits
22 on their pharmacies.

23 Q. Anything specific though to flagging
24 suspicious orders of controlled substances under
25 Section -- in other words, the suspicious order

1 over the receipt of controlled substances it was
2 handling when it determined it was in compliance
3 with the security requirements?

4 A. Yes.

5 Q. Did HBC consider the physical security
6 features of its facility --

7 A. Yes.

8 Q. -- when it determined it was in
9 compliance with the security requirements?

10 A. Yes.

11 Q. Did HBC get frequent visits from the
12 DEA?

13 A. They got visits from the DEA, yes.

14 Q. What was the purpose of those visits?

15 A. To do reconciliation audits to see if we
16 were also complying with the security requirements
17 that were required as part of the Act and that we
18 had controls in place.

19 Q. Did the DEA ever tell HBC that they were
20 not meeting the security requirements under the
21 regulations, under the regulation related to the
22 Controlled Substances Act?

23 A. Not that I know of, no.

24 Q. With respect to the HBC warehouse that
25 you visited, do you recall whether it had a locked

1 was developed by Giant Eagle to reconcile
2 inventory. It will show the purchases for a given
3 time period as to when the audit was conducted and
4 show all dispensing. And at the end of doing that
5 calculation, there is an actual -- there is an
6 expected on-hand count that is shown to the
7 pharmacy.

8 They do the count, and then they update it
9 with the actual count that is remaining in
10 inventory.

11 Q. Do you also have annual audits of
12 inventories at Giant Eagle pharmacies?

13 A. We do annual inventory counts at each
14 pharmacy, yes, of all controlled substances.

15 Q. Can you tell me what a PDL is?

16 A. PDL is an acronym at Giant Eagle for
17 pharmacy district leader.

18 Q. What do the PDLs do?

19 A. The PDLs -- each PDL has roughly 29 to
20 33 stores that they are responsible for business
21 oversight of a particular region.

22 Q. Do they regularly visit the stores?

23 A. They do regularly visit the stores, yes.

24 Q. When the compliance team did due
25 diligence on any orders that flagged or any orders

1 that they wanted to investigate further, would the
2 PDLs be a good source of information as to what
3 was going on --

4 A. The PDL is a very good source of
5 information, yes.

6 Q. Did you and others at Giant Eagle
7 corporate office utilize the PDLs when doing due
8 diligence at stores and on orders?

9 A. Yes, sir; yes.

10 Q. Do PDLs conduct audits or inquiries
11 concerning procedures at the stores?

12 A. They do.

13 Q. Do they supervise the training of
14 pharmacists at all? Are they involved in the
15 supervising and training of pharmacists?

16 A. They do have a part in supervising the
17 training. As part of their audit, they would look
18 to see if required training was being conducted by
19 the pharmacist or that team members were doing
20 some computer-based training programs that had
21 been assigned to them.

22 Q. That would be like continuing education?

23 A. Possibly, yes.

24 Q. Do the stores, do the Giant Eagle
25 pharmacy stores work with local law enforcement?

1 A. Yes, they do.

2 Q. Do the Giant Eagle pharmacy stores work
3 with local police departments?

4 A. Yes.

5 Q. Do the Giant Eagle pharmacy stores work
6 with the Board of Pharmacy inspectors in each
7 state?

8 A. Yes, they do.

9 Q. Do the Giant Eagle pharmacy stores and
10 their employees work with DEA agents?

11 A. They have, yes.

12 Q. Would you characterize that relationship
13 between the stores and these law enforcement
14 agencies as a cooperative working relationship?

15 A. Yes, I would, very cooperative.

16 Q. In working with local law enforcement
17 and the DEA, has Giant Eagle been able to uncover
18 people who are attempting to pass bad scripts?

19 A. Yes, we have.

20 Q. Does Giant Eagle have a pharmacy
21 investigator?

22 A. Yes, we do.

23 Q. And does he also work with local law
24 enforcement in trying to apprehend people who are
25 passing bad scripts?